

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

JASON JERNIGAN

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Case No.: 2:05-cr-258-MEF-CSC

**WAIVER OF
PRELIMINARY HEARING AND DETENTION HEARING**

COMES NOW the Defendant, Jason Jernigan, and, through undersigned counsel, waives his right to a preliminary hearing and a detention hearing in this matter. In support of this motion, undersigned counsel would show the following:

1. Mr. Jernigan was arrested on a petition to revoke his supervised release on March 11, 2008. (Doc. # 44.)
2. Preliminary and detention hearings were initially set for Monday, March 17, 2008, at 10:00 a.m. (Doc. # 45.)
3. Mr. Jernigan was transported to Jackson Hospital on Sunday, March 16, 2008, with a diagnosis of pneumonia.
4. Because of the unavailability of the Defendant, the hearings were reset to Friday, March 21, 2008, at 9:00 a.m. (Doc. # 47.)
5. On Thursday, March 20, 2008, today's date, undersigned counsel conferred with Mr. Jernigan at Jackson Hospital respecting the advisability of proceeding with the scheduled hearings.
6. Upon consultation, the Defendant, Mr. Jernigan, has determined that a waiver of the scheduled hearings would be in his best interests.
7. As of 4:00 p.m. this date, no determination has been made as to Mr. Jernigan's

availability for his scheduled court appearance tomorrow, March 21, 2008.

WHEREFORE, for the reasons stated above, Mr. Jernigan requests that this Court accept his waiver of a preliminary hearing and a detention hearing by means of this motion.

Dated this 20th day of March 2008.

Respectfully submitted,

/s/ Anne E. Borelli

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CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent B. Brunson, Esq., Assistant U. S. Attorney.

Respectfully submitted,

/s/ Anne E. Borelli
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